

WILLIAMSBURG BOARD OF ZONING APPEALS MINUTES

September 2, 2003

The regular meeting of the Williamsburg Board of Zoning Appeals was held on Tuesday, September 2 at 3:00 p.m. in the Williamsburg Municipal Building, 401 Lafayette Street.

ATTENDANCE

Present were Board members Carr, Kafes, Knudson, and White. Absent was Board member Chohany. Also present were Zoning Administrator Murphy, and Secretary Scott.

CALL TO ORDER AND MINUTES

Chairman Carr called the meeting to order.

Mr. Kafes moved that the minutes of the August 5, 2003 meeting be approved as corrected. The motion was seconded by Ms. White and carried viva voce 4-0.

Ms. White introduced her daughter, Ashley Short, who is a student at Walsingham Academy.

PUBLIC HEARINGS

BZA #03-16: Request of Suter's Handcrafted Furniture for a variance from Section 21-357 (2) and (3) to add brick veneer on the rear and side of the building with a two story addition resulting in a side yard setback of 11.3 feet instead of 15 feet a rear yard setback of 13.7 feet instead of 15 feet as required by the Zoning Ordinance. The building is currently located 14.7 feet from the rear and 11.8 feet from the side adjacent to Brooks Street. The property is located at 800 Richmond Road and is zoned General Business District B-3. Approved.

Chairman Carr introduced the request and invited the applicant to comment.

Erwin Michael, representing Suter's Handcrafted Furniture, stated that the request for a variance is needed due to a hardship and in response to the attempt to make the building as attractive as possible, on the rear elevation as well as the front elevation.

Chairman Carr opened the public hearing.

Bobby Hornsby with Heritage Development Company, current owner of the property, gave his wholehearted support to the proposal. He said his mother owns the 50' residential lot behind the commercial lot, and the Michaels have the option to purchase it.

There being no other comment, the public hearing was closed.

Board comments included:

- The proposed use of the property will have a substantial impact on this very visible parcel and needs to present a uniformly appropriate appearance on all sides of the property.
- Need to work within the existing footprint.

Ms. White moved that the request for a variance be approved based on fulfillment of Section 21-97(b)2. "No such variance shall be authorized by the board unless it finds:

- a. That the strict application of this chapter would produce undue hardship.
- b. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- c. That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance."

Mr. Kafes seconded the motion which carried by roll call vote of 4-0.

Recorded vote on the motion:

Aye: Kafes, Carr, White, Knudson
No: None
Abstain: None
Absent: Chohany

OLD BUSINESS

Bylaw Amendment

Mrs. Murphy noted that City Attorney Joe Phillips is reviewing the Board's desire to consider the amendment of the Bylaws to add that no application will propose "options" for the Board to review.

Lawsuit

Mrs. Murphy noted that she has not yet received a date for the pending lawsuit.

NEW BUSINESS

Training

Ms. White asked that she be notified once dates have been scheduled for BZA training. She also asked if there might be video training available. Staff will check on these two items and report back to the Board.

There being no further business the meeting adjourned at 3:20.

Respectfully submitted,

Michael P. Chohany, Secretary
Board of Zoning Appeals